

In re: Saxler
Serial No. 10/707,898
Filed: 01/22/2004
Page 8

Remarks

This is in response to the Official Action mailed September 7, 2005. Applicant notes with appreciation the courtesy and professionalism of the Examiner during the recent Office Interview.

To date, the only rejection brought against the elected claims is the § 102 rejection under U.S. patent No. 6,867,067 to Ghyselen.

As discussed during the Interview, the '067 patent fails to qualify as a § 102 reference because it fails to disclose the claimed order of operations within its four corners. In fact, the '067 patent repeatedly teaches an order of operation opposite from the pending claims.

In the claimed invention, a layer of diamond is added to a silicon carbide wafer after which the thickness of the silicon carbide portion is reduced. In contrast, in the '067 patent, the silicon carbide portion is always reduced in thickness first, following which the diamond layer is added to the already-thinned silicon carbide.

The '067 patent refers to this as adding the "thick support layer" on a "thin layer" of the desired semiconductor material.

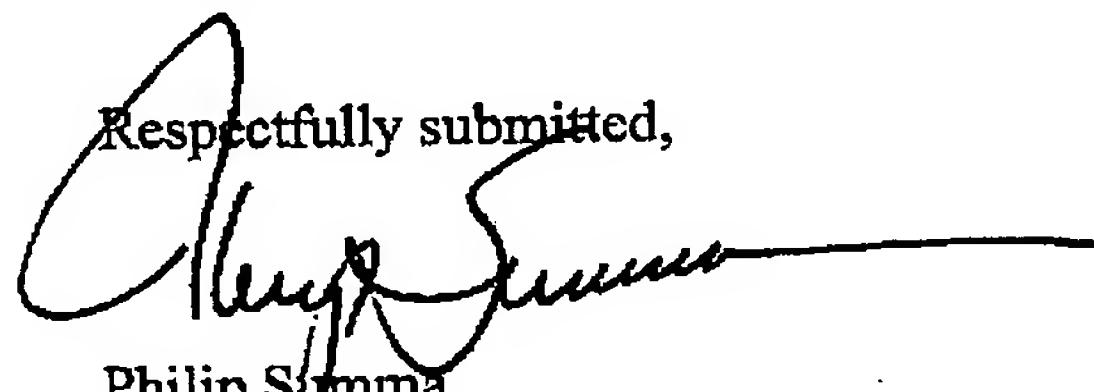
The drawings in the '067 patent are consistent with this explanation. Using Figure 1 as an example (and Applicant submits that the remaining figures are consistent with Figure 1 on this particular point) the layer that would correspond to silicon carbide is the substrate (6). As Figure 1 illustrates, the thickness of the silicon carbide layer is reduced in the step labeled "200" to produce a thin silicon carbide layer (2). Thereafter, in the step labeled "300" the thick diamond layer (4) is added to the thin silicon carbide layer (2).

All of the examples that are included in the tables in the '067 patent are similarly consistent with this description.

Some of the many exemplary recitations of "thick" material being added to "thin" material—in that order—appear at Column 3 lines 39-41, 53-54, and 62-63; and in Column 5 lines 10-43.

In re: Saxler
Serial No. 10/707,898
Filed: 01/22/2004
Page 9

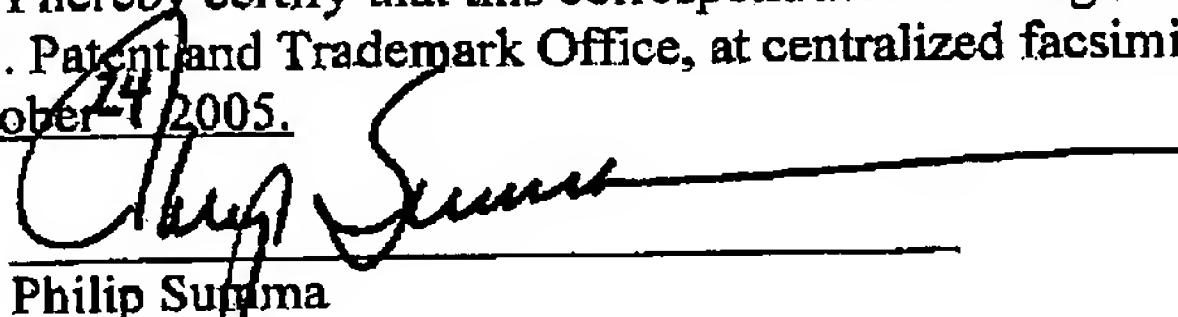
Independent claims 1 and 58 are currently pending and each has been amended to emphasize the order of operations. Applicant accordingly submits that these claims define over the '067 patent as applied to date. Applicant accordingly respectfully requests that the § 102 rejection be removed and the claims passed to immediate allowance.


Respectfully submitted,
Philip Summa
Reg. No. 31,573

021176
Summa & Allan, P.A.
11610 North Community House Road, Suite 200
Charlotte, NC 28277-2162
Telephone: 704-945-6701
Facsimile: 704-945-6735
S:\FIRM DOCS\5000\387\Response_1005.doc

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, at centralized facsimile number 571-273-8300 on October 24, 2005.


Philip Summa